

In 2014, Timor-Leste made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government passed a resolution to formally establish the National Commission against Child Labor (NCCL/CNTI) that will coordinate the Government's efforts to combat child labor, including its worst forms. In addition, the General Labor Inspectorate Directorate created a new department to deal specifically with child labor issues and hired two additional inspectors. Government officials responsible for the enforcement of child labor laws, including labor inspectors and police officers, participated in numerous trainings on child labor investigation and victim identification procedures. However, children in Timor-Leste are engaged in child labor, including in agriculture. Although the NCCL/CNTI approved a list of hazardous occupations and activities prohibited for children, the list has not yet been legally adopted, leaving children vulnerable to engagement in hazardous work.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Timor-Leste are engaged in child labor, including in agriculture. (1-3) Table 1 provides key indicators on children's work and education in Timor-Leste.

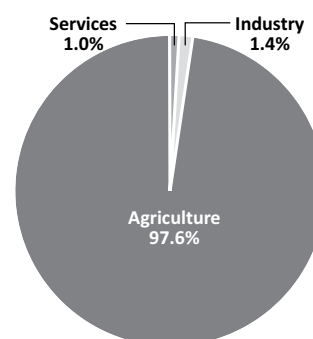
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	10-14 yrs.	19.9 (26,268)
Attending School (%)	5-14 yrs.	69.7
Combining Work and School (%)	10-14 yrs.	12.6
Primary Completion Rate (%)		71.0

Source for primary completion rate: Data from 2011, published by UNESCO Institute for Statistics, 2015.(4)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Timor-Leste Survey of Living Standards, 2007.(5)

Figure 1. Working Children by Sector, Ages 10-14



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Cultivating and processing coffee* (1-3) Fishing,* including work on boats* and repairing nets* (1-3)
Industry	Construction,* including brickmaking* (1, 2)
Services	Domestic work* (1, 2) Street work, including vending,* begging,* and scavenging* (1-3, 6)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation and forced domestic and agricultural work each sometimes as a result of human trafficking* (1, 3, 7, 8)

* Evidence of this activity is limited and/or the extent of the problem is unknown.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

In a few cases, Timorese families place their children in bonded domestic and agricultural labor in order to settle outstanding debts. (8, 9) There is limited evidence that girls are trafficked transnationally to Indonesia for labor exploitation. (9, 10) According to data collected by the Secretary of State for Professional Training and Employment Policy (SEPFOPE) and released in 2014, during the previous reporting period there were 233 cases of child labor recorded in the capital city of Dili. Of these children, 179 were male and 54 were female. (11) More comprehensive national data on child and forced labor from the Integrated Labor Force Survey is expected to be released in 2015. (11)




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II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Timor-Leste has ratified most key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

	Convention	Ratification
	ILO C. 138, Minimum Age	
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

Table 4. Laws and Regulations Related to Child Labor

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Article 68 of the Labor Code (12)
Minimum Age for Hazardous Work	Yes	17	Article 67 of the Labor Code (12)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Articles 67-69 of the Labor Code (12)
Prohibition of Forced Labor	Yes		Articles 8 and 67 of the Labor Code (12)
Prohibition of Child Trafficking	Yes		Article 81 of the Immigration and Asylum Act; Articles 162-166 of the Penal Code of Timor-Leste; Article 67 of the Labor Code (12-14)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 174- 176 of the Penal Code of Timor-Leste; Article 67 of the Labor Code (12, 14)
Prohibition of Using Children in Illicit Activities	Yes		Article 67 of the Labor Code (12)
Minimum Age for Compulsory Military Recruitment	Yes	18	Article 14 of the Law on Military Service (15)
Minimum Age for Voluntary Military Service	Yes	18	Article 17 of the Law on Military Service (15, 16)
Compulsory Education Age	Yes	16/17	Article 11 of the Education System Framework Law (17)
Free Public Education	Yes		Section 59 of the Constitution of the Democratic Republic of Timor-Leste; Article 11 of the Education System Framework Law (17, 18)

The legal framework in Timor-Leste is not completely consistent with international standards regarding hazardous child labor. While the Timorese Labor Code does contain provisions that prohibit children from involvement in work likely to jeopardize their health, safety, and morals, it is neither comprehensive nor specific enough to facilitate effective enforcement.(12) Additionally, a minor is defined as a person whose age is less than 17 years.(12, 14) This standard leaves 17-year-old children vulnerable to the worst forms of child labor.(19) In 2014, Timor-Leste's National Commission against Child Labor (NCCL/CNTI) unanimously approved a list of hazardous occupations and activities prohibited for children that had been under review since 2012.(11, 20, 21) To formalize the list, the Secretariat of State for Professional Training and Employment Policy (SEPFPOPE) is now working with the ILO to draft a law, which must be approved by the Council of Ministers. At the conclusion of the reporting period, the Council had not yet given final approval of the list.(11)

Similarly, approval is still pending for draft legislation against human trafficking originally submitted in 2012. In 2014, the Ministry of Justice revised and resubmitted an improved version.(9, 22) The proposed law seeks to strengthen efforts to combat trafficking in persons by rationalizing the country's disparate legal provisions regarding the definition of human trafficking and

the penalties prescribed for this crime. It would also clarify Government roles and responsibilities to ensure more effective anti-trafficking coordination among agencies.(9, 11)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
The Secretariat of State for Professional Training and Employment Policy (SEPFOPE)	Enforce laws related to child labor. Administer the General Labor Inspectorate Directorate, which is responsible for investigating incidents of forced labor.(1)
National Police of Timor-Leste (PNTL)	Enforce criminal laws against forced labor, commercial sexual exploitation, and human trafficking. Includes the Vulnerable Persons Unit, the Immigration Police, and the Border Police.(1)
The Ministry of Social Solidarity (MSS)	Enforce laws related to child labor.(1) Receive referrals from agencies responsible for conducting child labor investigations and provide child victims with appropriate support services.(1) Maintain a directory of service providers for which trafficking victim referrals can be made.(7)

Law enforcement agencies in Timor-Leste took actions to combat child labor, including its worst forms.

Labor Law Enforcement

In 2014, the Secretariat of State for Professional Training and Employment Policy (SEPFOPE) employed 22 labor inspectors. Within the General Labor Inspectorate Directorate, SEPFOPE created a specialized department to manage child labor issues and assigned 4 inspectors to focus on investigating child labor cases and enforcing relevant laws.(11) The ILO noted that the number of inspectors is insufficient, especially for conducting child labor inspections outside of the capital.(11) In April and May of 2014, 38 labor inspectors and law enforcement officials received technical training on how to effectively identify and investigate cases of child labor and forced labor.(11, 23)

During the reporting period, SEPFOPE carried out 10 random, unannounced site visits to inspect for child labor violations in street work, construction, transportation, commerce, industry, and on coffee plantations. This is a significant decrease from the 45 inspections conducted in 2013.(11) Although SEPFOPE established local offices in 5 of 13 districts during the reporting period, the majority of inspectors are still posted in the capital of Dili and encounter transportation challenges in accessing outlying areas. The lack of adequate transportation may limit the ability of the Labor Inspectorate Directorate to conduct inspections.(11) SEPFOPE confirmed that labor inspectors are legally authorized to conduct both routine and complaint-driven inspections in all workplaces, apart from private homes.(11) Police officers may be called upon to investigate suspected cases of child domestic labor in these instances.(11) The Labor Inspectorate Directorate found no violations of child labor laws in 2014, and therefore no penalties or citations for child labor law violations were issued, and no children were withdrawn from exploitative work.(11) If children are identified in child labor situations, inspectors may refer them to the Ministry of Social Solidarity (MSS) for support services.(1, 7, 11)

Criminal Law Enforcement

In 2014, the Criminal Investigation Unit of the National Police of Timor-Leste (PNTL) had a staff of 38 officers, two of whom were charged specifically with the enforcement of criminal laws related to the worst forms of child labor.(10) The PNTL had an operating budget of \$27.8 million, but continues to face significant human resource and budget execution challenges.(11, 24) The Vulnerable Persons Unit, which is directly responsible for assisting human trafficking victims, did not have a separate budget to support its activities.(11) Limited funding resulted in logistical and transportation obstacles in conducting investigations.(1, 9) Throughout the reporting period, law enforcement officials participated in extensive training on combatting human trafficking. In January 2014, the UNODC organized a U.S. Embassy-funded training course for 25 PNTL Border Patrol Unit officers.(9) Additionally, the PNTL collaborated with USAID to train 217 officers in general investigative skills that will support Government anti-trafficking efforts.(22) The local NGO, Psychosocial Recovery and Development in East Timor (PRADET), also provided

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trainings for law enforcement officials and prosecutors on the worst forms of child labor and trained 170 individuals on how to identify and report suspected cases of child and forced labor.(11)

The Ministry of Social Solidarity (MSS) reported that the PNTL investigated one case of forced child labor involving a 7-year-old child. Police officers removed the child in question from the exploitative situation and provided accommodation in a Government-funded safe house.(11) In 2014, the MSS established at least one technical officer in each of the country's 13 districts to receive complaints and provide basic services to victims of human trafficking. In addition, there were two child protection officers stationed in each of the 65 sub-districts.(9) These officials are trained to follow the Government's standard operating procedures for referrals. (7, 9) At the close of the reporting period, the only reported investigation was ongoing, and there were no additional prosecutions, convictions, or penalties issued for crimes related to the worst forms of child labor.(11)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

Table 6. Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Commission against Child Labor (NCCL/CNTI)*	Facilitate information sharing on child labor issues among Government agencies and serve as the overall coordinating mechanism for filing and responding to child labor complaints.(11) Develop child labor policies, raise awareness, and contribute to efforts to ratify and implement international conventions related to child protection.(1) The Secretariat of State for Professional Training and Employment Policy (SEPFOPE) will serve as the Technical Secretariat of NCCL/CNTI for a 3-year term. Composed of representatives from 23 additional members, including the Ministries of Education, Agriculture, Finance, Justice, Health, Social Solidarity, Public Works and Commerce, Industry, and the Environment; Trade Unions Confederation; the Chamber of Commerce and Industry; and Eyes on Human Rights Forum (<i>Tau Matan</i>). (11)
The Inter-Agency Trafficking Working Group	Coordinate the Government's efforts to combat human trafficking. Chaired by the Ministry of Foreign Affairs and Cooperation and includes the MSS, Ministry of Justice, the Ministry of Defense and Security, the Secretary of State for the Promotion of Equality, SEPFOPE, and the PNTL.(7) In 2014, the working group convened three times.(10)

*Mechanism to coordinate efforts to address child labor was created during the reporting period.

On January 15, 2014, Timor-Leste passed Government Resolution 1/2014, which formalized the preexisting Child Labor Commission (CLC) Working Group to establish the National Commission against Child Labor (NCCL/CNTI). The Government provided funding and office space to enable staff of SEPFOPE to carry out the work of the NCCL/CNTI.(11)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Timor-Leste has established policies related to child labor, including its worst forms (Table 7).

Table 7. Policies Related to Child Labor

Policy	Description
Timor-Leste Project for the Elimination of the Worst Forms of Child Labor	Aims to strengthen implementation of ILO C. 182. Specific activities include establishing the Child Labor Commission Working Group; developing a national list of work deemed hazardous and prohibited for children; and developing a national action plan against child labor.(11) Launched in 2009 in partnership with the ILO and the Government of Brazil.(11)
The Timor-Leste Strategic Development Plan (2011-2030)	Provides short-term and long-term plans for the nation's development, including the eradication of the worst forms of child labor, poverty alleviation, and implementation of social transfer programs. (1, 25) Specifies commitments to improve the educational system over the next 20 years, including addressing gender parity in primary schools and preventing school dropouts.(21, 25)
National Education Strategic Plan (2011-2030)*	Identifies three strategic priority areas for national education reform: access, including enrolment and retention; quality; and management. Includes specific strategies and activities to promote equal access to nine years of basic education for all children, including building and renovating schools and instituting social inclusion tools to promote girls' education.(26)
Child and Family Welfare System Policy*†	Develops a framework to strengthen the social protection system for children and their families in Timor-Leste. Focuses on providing support services to children in vulnerable situations, including those living in poverty and those at risk of abuse, violence, neglect, or exploitation.(10, 27)

* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

The newly established National Commission against Child Labor (NCCL/CNTI) assumed responsibility for finalizing the draft National Action Plan Against Child Labor, a process which has been ongoing since 2011.(28, 29) At the close of the reporting period, the Action Plan was not yet complete. In addition, the Council of Ministers did not take action to approve the draft National Plan of Action on Trafficking in Persons submitted by the Inter-Agency Anti-Trafficking Working Group in 2012.(7, 29) The draft National Plan of Action could be superseded by passage of the draft anti-trafficking legislation, which creates an anti-trafficking commission and charges it with developing and implementing a national plan of action.(10)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Timor-Leste funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

Table 8. Social Programs to Address Child Labor

Program	Description
Global Action Program on Child Labor Issues Project	USDOL-funded project implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016, established by the Hague Global Child Labor Conference in 2010. Aims to build the capacity of the national Government and develop strategic policies to address the elimination of child labor and forced labor in Timor-Leste.(30) In 2014, provided training for 38 law enforcement officials on child and forced labor investigation procedures and supported the formal establishment of the NCCL/CNTI.(11, 23, 30)
Child Labor Education and Outreach Program†	The Secretariat of State for Professional Training (SEPFOPE) and the National Commission against Child Labor (NCCL/CNTI) education and awareness-raising program targeted at children in five primary schools in Dili who have been identified as at risk for involvement in child labor. In 2014, the campaign reached an estimated 500 students.(11)
As-needed shelter for victims of human trafficking‡	Ministry of Social Solidarity (MSS)-funded shelter operated by the Psychosocial Recovery and Development in East Timor (PRADET). Offers services for victims of human trafficking.(7, 29, 31)
Anti-Trafficking Awareness Raising and Training†	MSS and Alola Foundation partnership program to raise awareness and conduct trainings to combat human trafficking in Timor-Leste.(11) In 2014, awareness raising and education campaigns reached more than 2,500 students in seven districts.(9)
The Mother's Purse (<i>Bolsa da Mae</i>)*‡	MSS program that provides an annual cash subsidy of \$60 to \$180 maximum to poor families with a female head of household. Aims to improve the well-being of children by conditioning the subsidy on children's school attendance and their regular medical visits.(11, 20) The number of families served increased from 15,000 in 2013 to 55,000 in 2014. Technical assistance provided by the UNDP.(11)
School Feeding Program*‡	Government program to provide one hot meal per day to children in school, reaching about 325,000 students.(1)

* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of Timor-Leste.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Timor-Leste (Table 9).

Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that hazardous work is prohibited for all children under the age of 18.	2013 – 2014
	Ensure that laws prohibiting hazardous occupations and/or activities for children are specific enough to facilitate enforcement.	2012 – 2014
Enforcement	Allocate resources to adequately conduct labor inspections and investigations throughout the country, especially outside of Dili.	2012 – 2014
	Increase the number of labor inspectors responsible for enforcing laws related to child labor in order to provide adequate coverage of the workforce.	2014

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Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Government Policies	Integrate child labor elimination and prevention strategies into existing policies.	2014
	Finalize the National Action Plan Against Child Labor.	2012 – 2014
	Finalize the National Plan of Action on Trafficking in Persons.	2012 – 2014
Social Programs	Assess the impact that existing social programs may have on child labor.	2009 – 2014

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